

By: Carona

S.B. No. 383

A BILL TO BE ENTITLED

AN ACT

relating to the repeal of certain provisions governing the sale and use of certain refrigerants.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1302.059, Occupations Code, is amended to read as follows:

Sec. 1302.059. MOTOR VEHICLES. This chapter does not apply to a person who engages in or employs a person who engages in air conditioning services only on a motor vehicle or an MVAC-like appliance as defined by 40 C.F.R. Section 82.152 ~~[air conditioner]~~.

SECTION 2. Subsection (a), Section 1302.453, Occupations Code, is amended to read as follows:

(a) A person commits an offense if the person:

(1) knowingly engages in air conditioning and refrigeration contracting without holding a license issued under this chapter; or

(2) knowingly engages in air conditioning and refrigeration maintenance work without holding a contractor license or technician registration issued under this chapter~~[, or~~

~~[(3) purchases a refrigerant or equipment containing a refrigerant in this state in violation of Section 1302.353, 1302.355, or 1302.356].~~

SECTION 3. The following provisions of the Occupations Code are repealed:

- (1) Subdivisions (13) and (16), Section 1302.002;
- (2) Section 1302.051;
- (3) Subsection (b), Section 1302.452;
- (4) Subsection (b), Section 1302.453; and
- (5) Subchapter H, Chapter 1302.

SECTION 4. Not later than May 1, 2014, the Texas Commission of Licensing and Regulation shall adopt rules necessary to implement the changes in law made by this Act to Chapter 1302, Occupations Code.

SECTION 5. The repeal by this Act of Subchapter H, Chapter 1302, Occupations Code, and the amendment of Section 1302.453, Occupations Code, do not apply to an offense committed under those laws before the effective date of this Act. An offense committed before the effective date of this Act is governed by those laws as they existed on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 6. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.